



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331

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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

ADOPTED


BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

August 25, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

#57

September 1, 2015


PATRICK OZAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**PUBLIC HEARING
RESOLUTION TO VACATE
A PORTION OF ALINE WAY SOUTHWEST OF MAYNARD DRIVE
IN THE UNINCORPORATED COMMUNITY OF MONTE NIDO
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

The action involves the proposed vacation of a portion of Aline Way southwest of Maynard Drive in the unincorporated community of Monte Nido, which is no longer needed for public use.

IT IS RECOMMENDED THAT THE BOARD:

AFTER THE PUBLIC HEARING:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the portion of Aline Way proposed to be vacated southwest of Maynard Drive in the unincorporated community of Monte Nido is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.

3. Find that the public convenience and necessity require the reservation and exception of an easement and right of way for maintenance, operation, replacement, removal, and renewal of utility facilities located within the portion of Aline Way southwest of Maynard Drive in the unincorporated community of Monte Nido, owned by Las Virgenes Municipal Water District for utility purposes, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.
4. Adopt the Resolution to Vacate a Portion of Aline Way with Reservations (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.
5. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

IT IS RECOMMENDED THAT THE BOARD; AFTER THE PUBLIC HEARING,

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the portion of Aline Way proposed to be vacated southwest of Maynard Drive in the unincorporated community of Monte Nido is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
3. Find that the public convenience and necessity require the reservation and exception of an easement and right of way for maintenance, operation, replacement, removal, and renewal of utility facilities located within the portion of Aline Way southwest of Maynard Drive in the unincorporated community of Monte Nido, owned by Las Virgenes Municipal Water District for utility purposes, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.
4. Adopt the Resolution to Vacate a Portion of Aline Way with Reservations (Conditional), pursuant to Section 8324 of the California Streets and Highways Code.
5. Upon approval, authorize the Director of Public Works or her designee to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate a portion of Aline Way southwest of Maynard Drive (Easement) in the unincorporated community of Monte Nido, since it no longer serves the purpose for which it was dedicated and is not required for public access or transportation. This will allow the property owners to convert the public highway that is part of the County-maintained road system to a private and gated common driveway.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness/Fiscal Sustainability (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$2,000 fee to defray the expenses of the investigation, mailings, publications, and postings. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted on March 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 3,105 square feet and is shown on the map that is attached to the enclosed resolution to vacate with reservations.

The procedure for the vacation of a County highway is set forth in Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code commencing with Section 8320.

Pursuant to Section 8320, the Board may initiate proceedings to vacate a public highway by having the Executive Officer of the Board of Supervisors set a date (not less than 15 days after the initiation of proceedings), hour, and place for a hearing on the vacation.

Pursuant to Section 8322, notice of hearing must be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the County.

Pursuant to Section 8323, at least two weeks before the day set for the hearing, at least three notices of the hearing must be posted conspicuously along the line of the highway proposed to be vacated.

Pursuant to Section 8324, the Board may adopt a resolution vacating the highway if, after considering all the evidence offered at the hearing, the Board determines that the highway is unnecessary for present or prospective public use.

Additionally, pursuant to Sections 892 and 8314, the Board must also find that the highway proposed to be vacated is not useful as a nonmotorized transportation facility prior to resolving to vacate the highway.

The County's interest in the Easement was acquired in 1926 by dedication in Tract No. 9372, recorded in Book 126, pages 14 through 19, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles for road purposes.

Ms. Tamar Abkarian of Feed Your Soul, on behalf of Mr. Serj Tanakian and Ms. Lindsay Hirsch, the underlying property owners, requested the vacation to remove from record the public road easement within their properties. The intention is to convert the vacated portion of the Easement to a gated private driveway.

The portion of Aline Way proposed to be vacated has been determined to be unnecessary for present and prospective public use as a highway and is not required for public access or transportation.

The proposed vacation was reviewed by the County Sanitation Districts, Fire Department, Department of Parks and Recreation, and the Department of Regional Planning as well as the Department of Public Works. It was determined to be not useful as a nonmotorized transportation facility and meets with the goals and objectives of the Community Plan and underlying zoning.

Easement rights for existing utility facilities will be reserved for Las Virgenes Municipal Water District, pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

The proposed vacation is conditioned upon the underlying property owners granting reciprocal ingress and egress access rights to each other. This condition must be met to the satisfaction of Public Works within 12 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void. Public Works will record the enclosed resolution upon the satisfaction of the condition.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA, as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that the class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

Easement rights for existing utility facilities will be reserved for Las Virgenes Municipal Water District, pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

CONCLUSION

The Department of Public Works, Survey/Mapping & Property Management Division, will post notices of the hearing in accordance with Section 8323 of the California Streets and Highways Code.

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office

**RESOLUTION TO VACATE
A PORTION OF ALINE WAY SOUTHWEST OF MAYNARD DRIVE
WITH RESERVATIONS
(Conditional)**

WHEREAS, the Board of Supervisors of the County of Los Angeles has conducted a noticed public hearing regarding the proposed vacation of a portion of Aline Way southwest of Maynard Drive in the unincorporated community of Monte Nido in the County of Los Angeles, State of California, as legally described in Exhibit A and depicted on Exhibit B, both attached hereto, in accordance with Chapter 3, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8320, and has considered all evidence submitted at the hearing.

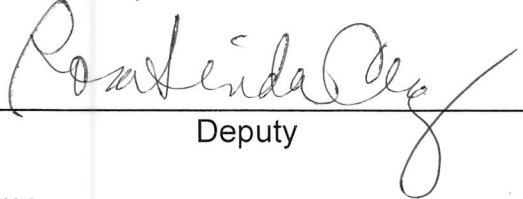
NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. That the above-described portion of Aline Way is unnecessary for present or prospective public use and is not useful as a nonmotorized transportation facility.
2. That the public convenience and necessity require the reservation and exception of an easement and right of way for maintenance, operation, replacement, removal, and renewal of utility facilities located within Aline Way southwest of Maynard Drive, owned by Las Virgenes Municipal Water District, in accordance with Sections 8340 and 8341 of California Streets and Highway Code.
3. That the above-described portion of Aline Way is hereby vacated, pursuant to Chapter 3, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8320, reserving and excepting therefrom easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within a portion of Aline Way southwest of Maynard Drive in favor of Las Virgenes Municipal Water District.
4. That the proposed vacation is conditioned upon the underlying property owners granting reciprocal ingress and egress easements to each other. This condition must be met to the satisfaction of the Department of Public Works within 12 months of the date this resolution is adopted by the Board, or the vacation will terminate and become null and void.
5. That upon the satisfaction of the above condition, the Director of Public Works or her designee is authorized to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

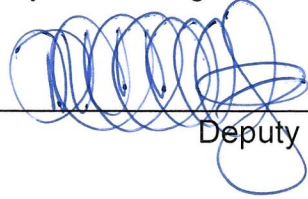
The foregoing resolution was on the 1st day of September 2015, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

MARY WICKHAM
Interim County Counsel

By 
Deputy

PATRICK OGAWA
Acting Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy



PH:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER RESOLUTION\2015\MONTE NIDO RESOLUTION.DOC

EXHIBIT A

Project Name: Aline Way
Southwest of Maynard Drive
ALINE WAY 1-1VAC
A.M.B. 4556-020 Aline Way (por.)
T.G. 589-A7
I.M. 129-077
R.D. 339
S.D. 3
M1188105

LEGAL DESCRIPTION

PARCEL NO. 1-1VAC (Vacation of easement for public road and highway purposes):

That portion of Aline Way, as shown on map of Tract No. 9372, recorded in Book 126, pages 14 through 19, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying southwesterly of the following described line:

Beginning at the most easterly corner of Lot 252 of said tract; thence southeasterly, along a line perpendicular to the southeasterly line of said lot, to the southeasterly sideline of said Aline Way.

RESERVING an easement for the maintenance, operation, replacement, removal, and renewal of utility facilities to Las Virgenes Municipal Water District in, on, over, and across the above-described portion of public road being vacated.

The reservation herein is being made in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code of the State of California.

Containing: 3,105 ± square feet

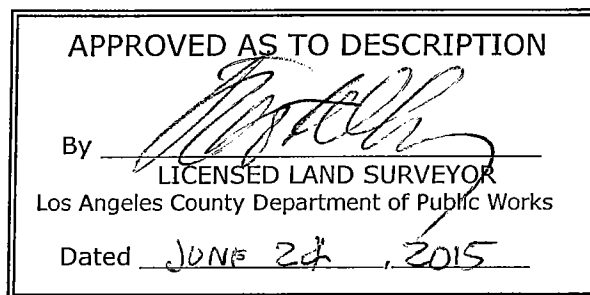
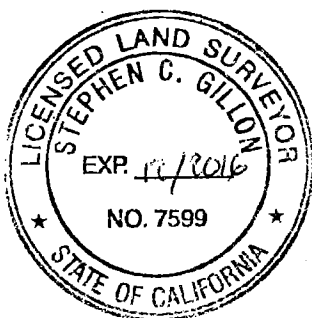
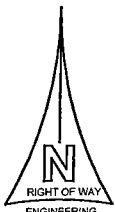
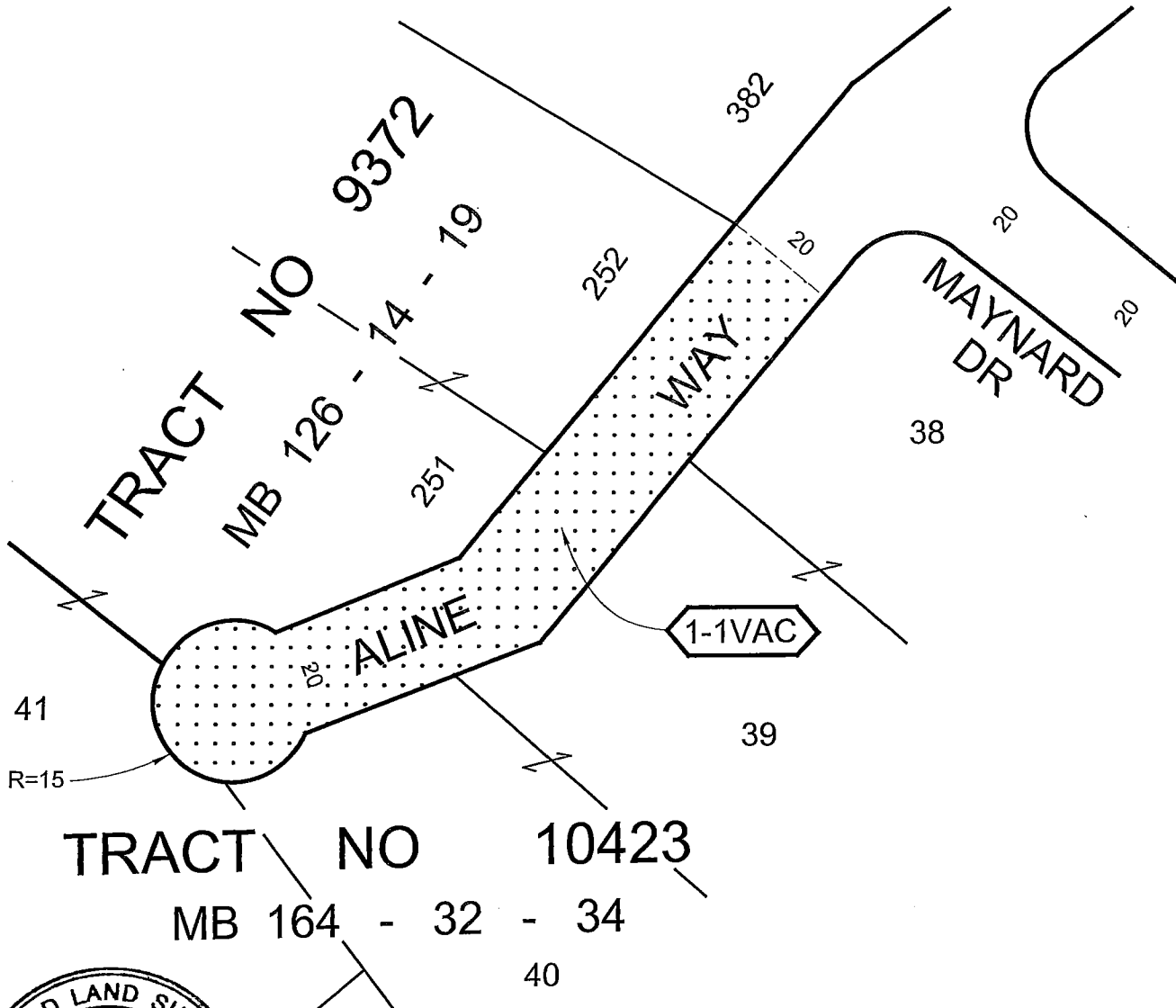


EXHIBIT B



ALL IN THE UNINCORPORATED TERRITORY
OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 589-A7
I.M. 129-077
S.D. 3
R.D. 339

ALINE WAY
SOUTHWEST OF MAYNARD DRIVE

BY  6/24/15
LICENSED SURVEYOR DATE

LEGEND

 PROPOSED AREA TO BE VACATED
TOTAL AREA: 3,105± SQUARE FEET

DATE
6-24-15

SCALE:
1" = 30'

A.M.B.
4456-020

PREPARED BY P. HERNANDEZ

PROJECT I.D.
MPV0000095

PROJECT NO.
M1188105